

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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FLAVIA BENITEZ, )  
Plaintiff, )  
v. )  
SODEXHO MARRIOTT SERVICES, )  
Defendant. )  
\_\_\_\_\_  
)

Civil Action No: 04-CV-11959-NG

**JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1**

The parties in the above-entitled action have timely conferred among themselves and hereby submit the following proposed schedule:

**Proposed Discovery and Motion Schedule**

The parties propose the following schedule for discovery and motions:

- A. The parties will exchange initial disclosures by May 30, 2005.
- B. Fact discovery to be completed by November 30, 2005.
- C. Summary judgment motions to be served and filed on or before December 30, 2005.
- D. Any opposition to a motion for summary judgment shall be served and filed no later than 30 days after the date of service of the motion to which it responds.
- E. Any party moving for summary judgment can file a reply to any opposition no later than ten days after the service of the opposition.
- F. Plaintiff to designate experts and serve expert reports 45 days after receipt of a decision by the Court denying any motion for summary judgment or February 15, 2006, whichever is later.
- G. Defendant to designate experts and serve expert reports 45 days after receipt of the plaintiff's expert designation or April 3, 2006, whichever is later.

H. Expert discovery completed 30 days after receipt of the defendant's expert designations and service of expert reports or May 1, 2006, whichever is later.

**Certifications**

The defendant's Local Rule 16.1 Certification is attached hereto as Exhibit A. The plaintiff's Local Rule 16.1 Certification has been forwarded to the Court under a separate cover.

FLAVIA BENITEZ,  
By her attorney,

/s/ Robert LeRoux Hernandez  
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SODEXHO, INC.,  
by its attorneys,

/s/ Kenneth J. Martin  
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Kenneth J. Martin, BBO #: 636643  
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Dated: April 15, 2005

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**EXHIBIT A**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
FLAVIA BENITEZ, )  
 )  
 Plaintiff, )  
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 v. ) CIVIL ACTION NO. 04-11959-NG  
 )  
 SODEXHO MARRIOTT SERVICES, )  
 )  
 Defendant. )  
\_\_\_\_\_

**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

Sodexho, Inc., ("Sodexho") misnamed herein as Sodexho Marriott Services and its  
counsel submit the following certification in accordance with Local Rule 16.1(D):

1. Sodexho and its counsel hereby certify that they have conferred with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of this litigation;
2. Sodexho and its counsel also certify that they have conferred to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,  
SODEXHO, INC.,

/s/ David W. Hayes  
David W. Hayes, Vice President  
& Associate General Counsel  
Sodexho, Inc.  
45 Hayden Ave., P.O. Box 9196  
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and

/s/ Kenneth J. Martin

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Dated: April 15, 2005

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